

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**CEDRIC McCOY  
2816 WASHINGTON STREET, APT. C  
CAMDEN, NEW JERSEY 08105**

**CASE NO.** \_\_\_\_\_

**JUDGE** \_\_\_\_\_

**PLAINTIFF,**

**v.**

**LOVE'S TRAVEL STOPS & COUNTRY STORES, INC.  
10601 NORTH PENNSYLVANIA AVENUE  
OKLAHOMA CITY, OKLAHOMA 73120**

**DEFENDANT.**

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**NOTICE OF REMOVAL**

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Pursuant to 28 U.S. C. § 1441, *et seq.*, Defendant Love's Travel Stops & Country Stores, Inc. ("Love's"), hereby removes the above-captioned lawsuit from the Wood County (Ohio) Court of Common Pleas, Civil Action No. 2021CV0021, to the United States District Court for the Northern District of Ohio, Western Division.

In support thereof, Love's avers and states as follows:

1. On January 15, 2021, Plaintiff Cedric McCoy ("McCoy") filed a civil action in the Court of Common Pleas of Wood County, Ohio, Case No. 2021CV0021, against Love's. Copies of the docket and all pleadings filed in the state court action are attached hereto as Exhibit "A".
2. McCoy is an individual, currently residing in Camden, New Jersey.
3. Love's is an Oklahoma corporation, with a principal place of business in the State of Oklahoma.
4. McCoy's lawsuit purports to state a claim against Love's for negligence and premises liability arising out of a slip and fall on ice and snow that allegedly occurred on January 23, 2019. Upon information and belief, McCoy is seeking to recover compensatory damages in excess of \$75,000, exclusive of interest and costs. Liability is disputed.

5. The Wood County, Ohio, Court of Common Pleas lies within the territorial jurisdiction of the United States District Court, Northern District of Ohio, Western Division.
6. The United States District Court for the Northern District of Ohio, Western Division, has original jurisdiction over this action pursuant to 28 U.S.C. § 1332 in as much as the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs, and is between citizens of different states.
7. This action is removable from the Court of Common Pleas of Wood County, Ohio, pursuant to the provisions of 28 U.S.C. § 1441, *et seq.*
8. Concurrent with the filing of this Notice of Removal, Love's has filed a Notice with the Wood County Common Pleas Court via the Wood County Clerk of Courts advising the court and all parties of the removal of this action to the United States District Court for the Northern District of Ohio, Western Division.
9. This Notice of Removal is timely filed, within 30 days after service of the Summons and Complaint upon Defendant, pursuant to 28 U.S.C. § 1446(b)(1).
10. Love's intends to file an Answer and Jury Demand following the docketing of this matter in the United States District Court, Northern District of Ohio, Western Division. By filing this Notice of Removal, Love's does not waive any affirmative defenses that it is otherwise entitled to assert herein.

/s/ C. Joseph McCullough

C. JOSEPH MCCULLOUGH (OH 0069844)

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Certificate of Service

In accordance with the Federal Civil Rules, a true and accurate copy of the foregoing was served by electronic mail on February 15, 2021, as follows:

Steven M. Recht, Esq.  
Attorney for Plaintiff  
[smr@rechtlaw.com](mailto:smr@rechtlaw.com)

/s/ C. Joseph McCullough  
C. JOSEPH MCCULLOUGH (OH 0069844)  
Attorney for Defendant